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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/586,060
		Filing Date	July 14, 2006
		First Named Inventor	Johann Schreyer
		Art Unit	N/A
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	5	Attorney Docket Number	H0075.70113US00

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Cited Foreign References (3)
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	Return Receipt Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	International Search Report
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	WOLF, GREENFIELD & SACKS, P.C.		
Signature			
Printed name	James M. Hanifin, Jr.		
Date	September 14, 2006	Reg. No.	39,213

#### Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 14, 2006

Signature: (Rita A. LeBlanc)



DOCKET NO.: H0075.70113US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schreyer et al.  
Serial No.: 10/586060  
Confirmation No.: Unknown  
Filed: July 14, 2006  
For: AUTOMATIC AIR REMOVAL SYSTEM

Examiner: Unknown  
Art Unit: Unknown

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the \_\_\_\_\_ day of September, 2006.

Rita A. LeBlanc

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**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed within three months of the date of the entry of the national stage, as set forth in 37 C.F.R. §1.491, in an international application.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant would like to bring to the Examiner's attention the enclosed International Search Report mailed May 10, 2005, for corresponding International Application PCT/EP2005/000536.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The International Search Report for corresponding International Application No. PCT/EP2005/00536 indicates that the International Searching Authority considered EP 1 374 929 to be of particular relevance, taken either alone or together with one or more references (Categories X and Y), to claims 7-11 of the International Application, which correspond to claims 7-11 of the present application.

Enclosed also is an English language abstract of EP 1 374 929 obtained from the esp@ce database.

The following are remarks concerning the other information cited.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

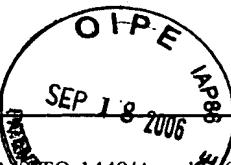
An early and favorable action is hereby requested.

Respectfully submitted,

By:

  
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September 14, 2006  
xNDDx



FORM PTO-1449/A and (modified PTO/SB/08)				APPLICATION NO.: 10/586060	ATTY. DOCKET NO.: H0075.70113US00
				FILING DATE: July 14, 2006	CONFIRMATION NO.: Unknown
				APPLICANT: Schreyer et al.	
Sheet	1	of	1	GROUP ART UNIT: Unknown	EXAMINER: Unknown

#### U.S. PATENT DOCUMENTS

Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		3507395		BENTLEY.	04/21/1970
		4490331		STEG	12/25/1984
		4643713		Viitala	02-17-1987
		5055198		SHETTIGAR	10/08/1991
		5158533		STRAUSS et al.	10/27/1992
		5162102		NOGAWA et al.	11/10/1992
		5205153		HLAVINKA et al.	04/27/1993
		5270005		RAIBLE	12/14/1993
		5876611		SHETTIGAR	03/02/1999
		6302860	B1	GREMEL et al.	10/16/2001
		6337049	B1	TAMARI	01/08/2002
		6632189	B1	FALLEN et al.	10/14/2003
		6524267	B1	GREMEL et al.	02/25/2003

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
		EP	1203592	A2	Convergenza AG	05-08-2002	
		EP	1374929	A1	Jostra AG	01-02-2004	Abstract
		EP	1086712	A2	MEDTRONIC, INC.	03/28/2001	

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials #	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
		Search Report for International Application No. PCT/EP2005/000536, mailing date of May 10, 2005.	

EXAMINER:

DATE CONSIDERED:

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_, filed \_\_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]